



May 18, 2004

## **Pair sentenced for telemarketing fraud**

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### **Thirty elderly victims were defrauded of more than \$437,000**

A federal judge has sentenced **Marilyn Cruz**, of Providence, and **Shanta Garner**, of Coral Gables, Florida, to federal prison – Cruz for 41 months and Garner for 51 months – for bilking elderly victims out of more than \$437,000 through a fraudulent sweepstakes scheme.

The Office of the United States Attorney announced the sentences, which U.S. District Court Judge William E. Smith imposed in U.S. District Court, Providence. Judge Smith sentenced Cruz on May 13 and Garner on May 14. He will order both defendants to pay restitution to 30 victims in an amount yet to be calculated. The government puts the minimum amount of restitution at \$437,911.23.

In February, both defendants pleaded guilty to conspiracy and wire fraud. At the plea hearing, Assistant U.S. Attorney Lee H. Vilker said that the two women called dozens of elderly victims and advised them that they'd won large sums of money in sweepstakes drawings – prizes purportedly ranging from \$100,000 to \$19.3 million. The women told their victims that, to secure the prizes, they had to pay advance fees, often described as taxes and processing fees.

Once a victim was on the hook for advance fees, the con artists continued calling, asking for more fees. The defendants advised their victims to send the money via Western Union or other wire transfer carriers to various locations, including 180 Harold Street, Providence, where they both lived at one time, to addresses elsewhere in Rhode Island, and others in Massachusetts, Florida, and the Bahamas.

After repeated inducements to send fees, some of the victims – or their families – complained to local police departments. Some of those departments recorded additional phone calls in which the defendants solicited fees from the victims. In October 2001, the Rhode Island State Police executed a search warrant at 180 Harold Street, where they found wire transfer records and lead lists of potential victims. The defendants' telephone records reflected more than 300 telephone calls that had been placed to known victims of the scheme.

Investigators found 30 victims across the country who had sent at least \$437,911 to the defendants.

Cruz, 48, had an address of 916 Branch Avenue at the time of her arrest. She must report to prison on June 7. Garner, 23, most recently lived at 4351 NW 110<sup>th</sup> Avenue, Coral Springs, and is in custody, held in lieu of bond.

The **Rhode Island State Police** and the **Federal Bureau of Investigation** investigated the case, with assistance from police departments in various communities where the victims live. Assistant U.S. Attorney Lee H. Vilker prosecuted the case.

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